

AN
ESSAY,
FOR
PEACE,
BY
Union in Judgement ;
ABOUT
Church-Government
IN
SCOTLAND.

In a **LETTER** from * * * * * to his Neighbour
in the Countrey. *By Mr Francis Grant*

Phil. 2. 2. *Fulfill ye my joy, that ye be like minded. —*

3. 15. *If in any thing ye be otherwise minded, GOD shall reveal even this unto you. —*

16. *Nevertheless, whereto we have already attained, let us walk by the same Rule. —*

4. 5. *Let your moderation be known unto all men. The LORD is at hand.*

Rom. 12. 18. *If it be possible, as much as lyeth in you, live peaceably with all men.*

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The Publisher to the Reader.

NOne can Live within a *visible Church*, Conſcionably; unleſs he be ſatisfied, in ſome meaſure, about its *Government*. For that concerns his daily *conduct*.

Hence, it muſt be ſuppoſed, that a point of ſuch univerſal Uſe, muſt be very *clearly diſcernible*, even by *common Capacities*. Since the Goſpel, whereof Government is the Fence, ſtands directed to the *Poor and fooliſh in the World*.

Whence, it cannot depend upon *nice* Inquiries, either into Criticiſms of *Scripture*, abſtract Notions of *reaſon*, or the Maze of *Antiquitie*: whereof *moſt* have not the *means*. And yet the Goodneſs and Wiſdom of GOD has not, certainly, left them

(1) For *indeterminable*. (1)

the Bond of

Church Communion muſt be ſomething *common* to ſtrong and weak Chriſtians: as *Auguſtin* ſayeth, (*Epist. 57.*) of the Rule of Faith, that it is *Puſillilis magniſque communis*. This muſt certainly be plain *Scriptures* (which is the beſt and ſureſt *Antiquity*) compared together by clear *Reaſon*. But when we follow the Scent of the Game into the wood of other *Antiquity*, it will be eaſier to loſe our ſelves, than to find that which we are upon the perſute of. Yea, the making Tradition the Rule, even of *Interpreting Scriptures*; is to bend the Rule to the crooked Stick, and to make the Judge ſtand to the Opinion of his Lacquey, &c. (which was evident in the *Jews* Traditionary Gloſſes on their Law, and the Heathens perverſion of the Precepts of *Noah*) *Stilling. Iren.* p. 2. c. 6. and tho he aſſert this for proving *Indifferency*; yet others having evinced irrefragably that CHRIST has left a Government of His own *Inſtitution*: The Aſſertion holds, as to the explication of the *Form* thereof. (See *Jur Divin. Reg. Eccleſ. and Rul. Anf. to Stil.*) as to which *Stil.* (p. 2. c. 7.) *learnedly* proves, that *Antiquity* is not certain, nor was it uniform; yea the Records thereof partial; and Counter-*testimonies*, contradictory, &c.

This hath put Thoughtful Men of different Stations, on ſeveral explications of an eaſie medium of *peace*, wherein all might agree. Particularly, 1. Some make the Church Government *indifferent*; and the Determination thereof to depend on the State. But it's hard to think, that the Good and wiſe *Inſtituter* of Churches into *Societies*, ſhould leave theſe without a Government of their own, by which they might ſubſiſt under Heathen, Mahometan, Antichriſtian, or profane, Rulers. 2. Others putting the Caſe of this Governments being eſtabliſhed by Civil or Eccleſiaſtical Authority, againſt the *Scriptural Rule* (whether that be Parity; or Imparity) aſſert; Mens obligation to *acquieſcence*: (2) mainlie becauſe the *leſſer intereſt* cedes to



(2) Thus much at leaſt appears to be the main de-

ſign of *Grotius de Imperio*, &c. *Circa Saera*, *Stilling*: and others, in their *Elaborat diſquiſitions*, illuſtrated, eſpecially, by the Precepts againſt *Diſuſion* and *ſcandal*, and concerning the Reſtraint of Chriſtian Liberty for a greater publick Good: and the practice of the Apoſtles towards the *Jewiſh Church*, which tho nullified *de jure*, yet till that was promulged, they joyned in its Worſhip. And the Fathers give a Rule, that as to Circumſtantials, differing in ſeveral places; compliance in each, is alſo far neceſſary as it can be without ſin, &c. The ſecond, there is a great Difference betwixt the Duty of private Subjects, while a Conſtitution ſtands; and of publick Officers, who have a legal Power to ſet at Right what may be wrong. And as to particular Men; when they are allowed to joyn, only in what they judge wholeſom; without being conſtrained to ſwallow down all, wholeſom. *P. inf.*

the greater *Duties* of Unity and peace; when the very Terms of Communion are not sinful. Which tho it may determine *Submission*, yet does not *direct choise*, as to Acts falling legally in a Man's power. And therefore, 3. The Writer of this Letter proposes an *obvious Idea*, that extricates the matter so far, as thereby any person can by Divine Law, easily determine his *option* when he can have it; or his *respect*, when that cannot obtain. Namely that, *parity*, as the *rule*, is to be chosen when it can be had; tho the *exception* of *Imparitie* is likewise warrantable in its habile case.

The following Discourse attempts, to set in Light, prove, and apply, this Position, in a *manner*, that may be convincingly palpable to all (3) who have a *common Understanding* of Reason and Scripture; and so much *antiquitie*, as to know that there were *Persecutions* in the First Three Centuries of Christianity. Providing the Reader be not diverted by *prejudice*; which being the *Yellow-jaundice* of the Soul, permits it to see nothing in *proper colours*. For obviating which general plague, the Author has endeavoured to use several *Cautions*: particularly, to Reason, mostly, from what is *owned by the moderat opponent*. Nor makes he any Stricture on the Actor's in the late *paperwar*; for that were to cross the present project, which is to *Cement*, and not widen. Neither runs he out upon Answers to *particular objections*, and *passages*; his design being to propose *one easie Catholicon (fons solutionum)* for all these *Diseases*, which whoever is *willing*, can apply. And he would not permit me to publish this Essay sooner: because Men judge best in *cold Blood*; and *condescension* appears *natural*, alse well as *generous*, when it *remains*, after Advantages; whereas under instant *Mensces*, it might have been construed Cowardice or Forced.

(3) How desirable were

a distinction

that (without the inextricable windings of debates) could operate this : may appear from the following Considerations.

1. It puts Men at ease as to the Truth.

2. It sorries them toward the Constitution of their own Church.

3. It prevents Schismatical Disputes, or Practices, on Dissent from the Established Government. 4. It

gives account how, without altering Judgement, or Scandal, a Man may own Imparity in one Church, and Parity in another. 5. Thus the *Writings* Antient and Modern, in relation to Episcopacie and Presbytery, may in great measure, be Reconciled; without so much irritation on the point of *Honour*. Hence 6. It advances *Peace* at Home, and prevents *jealousies* from Abroad: when nothing is advanced *inconsistent* with, or *violative* of, other *Constitutions*. And 7. Notwithstanding of this Difference of the *Cloathing*, there is still *Unity of the Body* of the Protestant Churches: For the *Bond* of that, is One LORD, one Faith, one Baptism, one Charity, which are *plain things* common to strong and weak Christians, and *practicable uniformly*; tho *Different Circumstances*, distinguish their Ecclesiastick Governments. Yet 8. As this Thought makes other *Constitutions* compatible with ours; So it does not Condemn *Dissenters* elsewhere, since they may have other *Grounds*, than that here propugned.

But now, seing as at any time, division in a Church, or Difference betwixt Churches, agreeing in *substantials*; upon this Circumstantial of Government: is what *sickness* proves to a Body, or *fire* in a Building: so, more particularly at the present *junction*, the *common Enemies* watch to enter at the *Breach*, to the Capture of both parties, their Civil and Sacred *Liberties*: an attempt to *reconcile* them is, certainly seasonable. Which, if the Writer hath suggested, to be improved by clearer Heads and politer hands of the Moderat and Wise on both sides; I know

* * You he does not value the *ignorant zealots*, * or *disingenuous Pamphletteers*, * on either: It being the common fate of a *Charitie* that runs to part a *Fray*, to be struck, (being commonly in the *midst*) by both, of *such*.
 may be, perhaps, desirous to know; who is it, in this *Party-age*, has the courage to be so far indifferent. But an Answer hereunto, imports not; because you ought to weigh the thing; without partiality on *personal Respects*. Especially, when he is such as would ever have been *Dumb*, were it not that the Safety of a *Parent* has untied his natural Bonds of *Silence*. However, you may readily by the *Moderation* of the Letter its self, guess from what *Principles* it does proceed. For (abstracting some excentrick *Persons*, and peculiar Circumstances of *Unhappy times*; which want not *Paralels* in all *Professions*) the *True Presbyterians* are the most, regularly, *Moderate*, of any *Party* that pretends to Religion. Since, even upon *less* *Points*; the *Papists* do rage with *Fire and Faggot*; *Lutherans* in many places, are *Lamentably Severe*; *Episcopal Men*, in former times, have *Persecute to Rigidity*; *Independants* will not *Communicat* with others, nor *Annabaptists* and *Quakers* own any for *Members* of the *True Church*, except themselves, &c. Whereas sound *Presbyterians* are a *Reverse* to all this; and lay out all their *Zeal*, mainly, upon *Fundamentals* of *Doctrine* and *Worship*, & against unquestionable *Immoralities* in *manners*; with due care of *Government* as being the *Hedge* thereof. It will be in vain (and a sure *Indication* of one of the foresaid two sorts of *Misrepresenters*) to object some *Shreds* of *Instances*, more *Antient* or *Modern*, against the purpose hereof. For you'll see an Answer hinted thereunto, in the end of this Letter: particularly, you ought to distinguish betwixt the *Principles* and *practices* of both sides. As also, in *Principles*; betwixt these of *particular Men*, and these *Authoritatively* owned by the *Church*. And likewise, even in *practices*; you'll difference such as are *True*, but the result of *singular Circumstances*; from such as, tho boldly asserted by some of the other side, yet are either *false* or *disguised*; or were *Abuses* corrected or *corrigible* by *Superiour Powers*. However (by the by) *Men* may easily *Determine* themselves by common *clear Rules*, without sticking at the *incertainties* of *Right* or *Fact* herein. For very great *Errours* and *faults*, *separable* from the *Authentick Principles*, both of the *Jewish Church*, and of the *Christian Churches* to which the *Epistles* are directed; not requiring *Homologation* of what was *wrong* (as *Popery*, and some other *Communions* do) did not warrant *Shismatical Secession* of their *Members*, from *joyning* in what was truly *right* or *good*. For so far did hold the *Maxim*, that *utile per inutile non vitiatur*: all being bound to keep the *Unity* of the *Spirit* in the *Bond* of *Peace*, to the *ne plus ultra* of *sin*. And in this view, there may be, perhaps, *occasional Communions* with a *Society* in *such Acts* as the *Party* judges tolerably *Right*; tho he cannot *statedly* *participat* with it, as involving him in other things which, he's convinced, are *wrong*, &c.

SIR,

S I R,

IN Debates about Religious Matters, there are two ways of Reasoning; for determining *one's self*, or convincing *others*. The *first*, and only sure, Method (as not depending on dubious *Facts*, which *Antiquity* resolves into) is from the proper Light of *Scripture*; And *Reason*, with a due Subordination. The *other*, tho not so safe in its self; yet, frequently, more *Perswasive*; is, to argue for the Truth *ex concessis*, from the Opponent's *own principles*; At least, supposing the *Facts* on which he builds them. Since, when these come to be distinctly *explicate and applied*; the Controversie betwixt Ingenuous Men, often dwindles into *nothing*. Especially if this be done with such Discretion, as rather to *Reconcile*, than to *reflect* on, the Partie's former *Judgement*; much less on approved Practice and Writings, of *other Ages and Nations*.

The Reasons for arguing, on this Subject, in the following Manner.

Which hath put me on the thought that it's not impossible for me to clear to you the Grounds of your own *Opinion* about *Church-Government*, in such manner as that, without prejudice to your respect for *Episcopacie* Ancient or Modern *else-where*, you may be for *Presbytry* in *Scotland*. And that, not solely from the Political Interest of the Nation; or on the Head, that any particular Form may be *indifferent*; but even in regard of its being of *Divine Right*, in the Case that now exists with us. In order whereunto I need only to give concise *hints* to a person of your Penetration; whose Caution will also, no doubt, forbear an ultimat Judgement, till you have considered the *whole together*, that I adduce for abstracting the Scheme proposed; which tends, shortly, to this.

Paritie is the Rule: But *Imparitie*, the Exception; In special Circumstances: Particularly in *Necessity*, found to be so by the Church.

The General Proposition, intended to be cleared, in the subsequent Discourse, & Method.

Those necessary Circumstances which were or are the Reason of Justifiable *Imparitie*, either of Old, or else-where at present; do not, now, obtain with us in *Scotland*.

*b Unaquæq; provincia abundet in sensu suo, & precepta majorum, leges Apostolicas, arbitretur. Hier. Ep. 20. ad Luc.

And therefore, of *Divine Right*, we retain the Rule of *Paritie*: Leaving the Judgement (when, how long, in what manner, &c. *Imparitie* was, or is) of necessity for other Churches, to themselves; as such *b.

By *Paritie*, I mean not to exclude Subordination of Judicatures; neither, in them, Precedencie upon Senioritie; nor Presidencie,

B

by

by Election : (These being clear by natural Light, illustrat in Scripture) but only a Superiority of Power (commonly called, Order and Jurisdiction) in one *Presbyter above others*: Which is against the Rule ; However it may, frequently, come under the Exception.

The Method which I shall follow for proving my Position, is, in the *first* place, to give a compendious *Historical* Progress of both *Governments*, by which the thing will become, at least, very *probable*: And, in the *next* place, more closely, to give the *Reasons* both for *Rule* and *Exception*, and how they can be reconciled and applyed. In all which I shall take most of the Materials, from several of the *Facts* which your self pleads, or acknowledges ; Or what is fairly deducible therefrom.

As to the first of these Heads.

The short view of the *Historie* of both *Governments*; where, in, what some may contra-vert, and not be satisfied by the *References* on the Marg'n ; will appear not decisive, to any who is unbiassed ; whom, what remains undoubted, may satisfy, on the Grounds hereafter adduced.

Originally, from *Adam*, downwards ; The Fathers of Families, who became such by *Emancipation*, or *Foris-familiation*, from the *Stock* (as they dispersed to People the Earth, in new Seats) were not only *Kings*, but likewise *Priests*, each in his own Family ; as to the publick Worship, and Ecclesiastick Government thereof.

So here was a *Parity* betwixt these Collateral Heads of those *little *c. Governments*. And, even when many Families might be in Civil Subjection to a Superiour Secular Authority ; There is no Veltige of the Ecclesiastick Power †d. of any single Priest over more Priests, in that Interval.

(when per- haps having a separat, tho sometimes sub- ordinate, Family) are found to exerce the Sacerdotal Rights. So *Abell*, *Scm*, *Abraham*, *Isaac*, *Jacob*, &c.

†d. Thus, Heads of Families, who sacrificed, appear in no Subjection to the *Primogeniture* of *Reuben*, before the *Aaronical Institution* (as it does not appear that *Melchisedec* or *Job*, had other Priests as such, under their Jurisdiction) *Exod*: 24. 5. compared with *Numb*: 3. 41. *Ib*. *D. D.* which is fortified by the *Negative*, which proves its self.

By *Moses's* Economy, the Patriarchal Right of Priest-hood was transferred on one Tribe. In which, the Superiority of the High Priest being laid aside, as confessedly Typical of the Messiah (besides that the High-Priest was subject to the *mixt* Judicature of the *Sanhedrim*, which ruled in *Paritie*) all that remains having the Characters of *Moral* therein ; imports an equality, as far as is necessary to the present Disquisition. For (besides that there were *Rulers*, ἀρχισυνάγγοι (in the Plural Number) in one *Synagogue*) ||e. the Priests had no Superiority of Power (however they were distinguished into *Courses* for Order) among themselves : And the *Levites* assisting them in an inferior Sphere : Their *Princes* were only *primi*

He. Acts 13 &
18 Mark 5.
Yea the Jew-
ish Writers re-
late that

in ordine in Ecclesiasticals; Tho they had also a Civil *f. Right by ^{ten} being the first born of their Families. To which are paralel, unnecessary for a Synagogue; and at first ruled it in ders and Deacons; who came in place of the Levites. And in lieu Paritie. They were called Presbyters; they were ordained by imposition of Hands, at least of the Hereditarie Precedencie or Presidencie among the Priests and Levites; was furrogat an Equivalent of a Preses by Age or Election; more adapted to the Impompous and Incompulsative Gospel constitution;

of three: They read the Scriptures, Expounded, Prayed, Praised, Excommunicat, &c. What Eminencie one of them had beyond others, was only in Latter Ages, and of no more Power than the President of the Sanhedrim, or Princeps Senatus at Rome (for there were several Archisynagogi in the same Synagogue) which Model of Government seems (as the most Moral of the Jewish Constitution) transplanted with what Corrections seemed requisit, to the Christian Soil; as its self was derived from the Schools of the Pophets. Thus communi Presbyterorum Concilio, Ecclesia Gubernabatur Hier: in Tit. 1. In Ecclesia Secunda-primitiva, caperunt distingui nomina & officia (Episcopi Presbyteri) Glossa in dist. 95. jur. canon: &c. As our Saviour and his Apostles adopted many other Uilages of the Jews, good on the matter, and apt to induce them. Such as Baptism, the Past-canium, LORD's Prayer, &c. Yet seing the Synagogue did also ordain their Presbyters to Civil places in their Sanhedrims (which was a mixt Government) it was requisite that Name should be qualified by some other Word, to a Sense proper to the Gospel, where Presbyters were to have only Spiritual Supervision, and not Civil Authority by Constraint: Which is the Original of Episcopus, importing more Duty than Honour: And not a Title above Presbyters, but rather used by way of Diminution, from what a Presbyter was under the Synagogue. So that a Ministers Ruling Power is as it were a Middle betwixt a simple Inspector, and a Senator or Alderman, Still: p. 2. c. 6. (i. e.) Ecclesiastical, yet Authoritative.

*f. For the Tribe of Levi was not subordinate to the others; with whom, tho' they were Intermixt in forty eight Cities, yet they preserved their own Civil Government among themselves, like the rest: Nothing being peculiar to them as employed in the Service of GOD, except the Superiority of the Priests over the Levites, and the Super-eminent Power of the High-Priest, Still: Ir: p. 2. c. 3 §. 3, 4. In word, these who were chief before the Institution of the Aaronical-Priesthood, continued so, after; i. e. It did not take away their civil Priviledges.

For the Jewish Dispensation being at an end, the Primogenial Right fell back on, or rather, Jure Postliminii, revived in, the Fathers of Families ||. But (putting together the Records of the New Testament) || Thus there are said to be two things appear to have seemed expedient to our All wise LORD. Churches (ubi Pater fit habet rationem The first, for making these Fathers of Families Christians, and associating them as such; whereby they might be capacitate to exerce aright their Powers: There was a Royal Extraordinary Delegation, Ministris, Vantion to Apostles *g. and Evangelists, &c. immediatly and personally ministr: Th. Asc: l. 2. c. 8.) in private Families; Rom: 16. 5. Phil: v. 2. 1 Cor: 16. 19. Col: 4. 15.

*g. Thus tho these had a Superiority of Order and Jurisdiction, by an Act of Christ: Yet it fell with themselves, unless it were proven that it was his Intention (there being no expresse Law about it) that this Superiority should continue in their Successors, the Negative whereof proves its self; Especially where the Reasons for such an Extraordinary Power (whither the Capacity of the Persons, or necessity of things) ceased, when Inspiration was (ordinarily) no more, and the Church came to be constitute. Whereof this (among other things) is an Evidence that not only Jerom, but likewise Ignatius; says, That Presbyters are Loco Apostolorum, Apostolico gradu succedunt, εις τοτον ουληδρι των Αποστολων, Still: p. 2. c. 6. Ordinarie Administration being all that in which they had Successors: For this is proven by Scripture, whereas what is over, its not being transmitted, proves its self as aforesaid, V. infra.

named, and miraculously *qualified*, for teaching all Nations, and planting Churches among them: And for leaving a written Rule by which *they speak*, in these things, to the end of the World. According whereunto, the *second* is; That Fathers of Families being thus *fitted*, should elect Bishops or Presbyters (*Cbyrotonia*) who might be ordained by the *Presbytria* (*Cbyrotbesia* or) by Imposition of Hands. As the scattered *Rayes* of the great *Hemisphere* of Light at the first Creation, were swallowed up in the *Bodies* of particular *Luminaries*. Without prejudice of extraordinary Constitutions. But among Pastors thus constitute, there is † *no warrand for Imparitie of*

† This, tho only asserted here, is proven, Negatively, Positively, and from Analogie, and Impossibility, of the contrary, below.

¶ See this proven, and the Objections removed; in the Authors cited, hereafter.

*b. Sed Presbyteros solummodo...

ritum, sequentes Ecclesie primitivæ. *Forsten: Scot: Chron: lib: 3. cap: 8. Sine Episcopis, in fide eruditi: Major de Gest: Scot: lib: 2. cap: 2. about the year 263.*

†i. Thus among the Apostles themselves, *Jerom (lib: 1. Jovin:) says of Peter, Aetati delatum quia Petrus senior fuit. And Beza, De Min: Grad: cap: 23. That, ut in Presbyterio quispiam & loco & dignitate primus actioni gubernandæ præsit; cu Dei, ordinatione perpetua, necesse fuit, est, & erit.*

¶k. *Ambrose (or rather Hilary) in Ephes: 4. Primum, Presbitri, Episcopi, appellabantur; ut recedente uno sequens ei succederet; sed quia ceperunt sequentes Presbyteri indigni inveniri ad primatus tenendos, immutata est ratio ————— ut non ordo sed Meritum crearet Episcopum, &c.*

Yea, further, in the *second* Century, the Church proceeded to give some *real Powers* beyond Presidency, to one Presbyter over others. For when *Persecution* came to be hot and general; and the *Roman*

Law

Law did barr the Meetings of Pastors for Ordinations, Discipline, and Government, as *sedition Conventicles*; One * L. was Elected (* L.) That to Oversee, both the fit Opportunity of Calling the Rest; and Executing their Decrees when separated: themselves not daring to Convene in a Body, and publick Appearance, so frequently as the Exigences of the Church did require; and thence this Watch-man, as it were, came to be called *Episcopus* (ab *Επισκοπος* — *supervideo*) per *eminentiam*. Which necessity, arising from the Laws being against them; did indeed, cease in *Constantin's* time, betwixt the 3d and 4th Centuries. But then, there Succeeded another Necessity; namely, the general infection of *Arianism* (that struck at the *Vitals* of Christianity) which made it absolutely needful, that the *Orthodox Bishops* who survived the Persecutions, should continue for Purging and settling the Church. Before which was done, ill regulated affluence, through the 4th and 5th Centuries, so excited affectation; that as the first Minister from having no more than a Name of Dignity, came to get distinguishing Authorities of a Bishop; So (after that Necessity might have terminat) by insensible Degrees, the first Bishop grew a *Metropolitan*; and the first *Metropolitan* increased to a *Patriarch*; and the first *Patriarch* swelled to a *Pope*: in adaptation to the Civil Constitution of the *Roman Monarchy*. After the Commencement of which degeneracie, precedents are of no value; as having deserted the Purity, not only of the first, but likewise of the 2d Stage of Primitive Antiquity.

rest our Course in finding out the true Material Original of this Change. It is obvious, from the Thing it self, that Persecutors their Executing the Law, hindered stated Meetings of Pastors; especially *Synodal Conventions*. For as congregational Assemblies were in the Night, or early (conventus ante lucani, whence Christians were called *Latibrosa et Luci-fugax natio*) and in *Grotts*, or *Vaults* under Ground, for not being taken notice of: or in the *Dormitories* of the Martyr's, the Heathens thinking it a matter of Religion, *Manes temerato Sepultos: a majori, these Enemies were more watchful against Assemblies of Ministers* (whence they made Edicts, *ut nulla conciliabula faciant*: all which appears out of *Plini, Tertul.* and others, cited in *Stil. p. 2. c. 7.*) because thereby, there was opportunity of those from several places, to concert what they might disseminat; such a Correspondence connected and kept up the Body, by admitting new Pastors to it, and Expelling the unworthy from it: As also, by discussing Matters (immediately, or by Appeal) that might occasion Scandal in it, or procure the Dissolution of it. In a word, the more Good that such Judicatures might promote in the Church, the more intent were its Destroyers in obstructing thereof. Thus the Usurper *Cromwel*, with us, who Tolerat Preachings and Presbyteries; sent *Assemblies*, a-packing; and the *French Government* stoped all publick Meetings of Ministers, for some time before they wholly shut up private Churches. Now, in this state, Preachers wanting a regular continued Inspection of stated Judicatures over them; did (after the Set who had extraordinary Gifts of the Holy Ghost were out) fall into many disorders of Error and Schism: so far that, (on pretence of the Example of the *Synagogue*, where at first, every Rabbi ordained his own Disciples) each Presbyter and Presbyters did ordain indifferently, (for increasing their own Partie) *Resil. de pot. Imp. & Pap. p. 4. c. 18.* Whence it became necessary that a District, as they Associate according to convenience, especially as being under one Civil Jurisdiction; should choise one Presbyter, who was thought most fit; not only to Call the Rest together, like a Watchman the Guards; when necessity required: it not being practicable

cable that all the *Ministers* of that Territory should have stated Meetings (for the Persecutors would wait these Dyets to catch them all at once) but likewise, to execute their Canons of Discipline, (made when they could get together) both against Malversant Pastors, and scandalous private Men; (when the *Consilium ecclesie* durst not meet to do the same) with concurrence of such as he could have at hand; yea, perhaps also, upon the same occasion, and in the same manner, to Ordain Pastors, and send these Labourers out to the deficient Work. And one Territory following anothers Example, at length, *totò orbe discretum est*, to do the like. Thus not only *Jerom.* (*Dial. ad Lucif.*) Testifies that the *Emors potestas* of Bishops was Necessary, because without it, *Inter schismata quæ Sacerdotes*: And tho in the beginning Presbyters and Bishops were all one, yet (*Hier. adv. Lucil.*) *quod autem posset unus electus est qui ceteris preponeretur, in schismatis remedium factum est, ut unus quisque ad se trahens Christi ecclesiam rumperet*: but likewise, *Epiph. c. Aevium* her. 75. (cited by *Stil. p. 2. c. 6.*) says, the *Apostle* writes to Bishops and Deacons,

For by Presbyters and Deacons all Ecclesiastical Affairs might be performed, — but where necessity required a Bishop, and there were some found fit for that Office; there some were Ordained Bishops, &c. Nor is it strange that this course of Imparity should have continued so long downward. For the Reason of it (Necessity) after the first Century, has descended, in most places and times in which it's tolerably accountable; whence Parity revived with Liberty of Circumstances: tho its Catholick Establishment over the whole true Church, cannot be expected, till the Spirit of primitive Christianity concur with the outward Peace of the latter days, prophesied in *Rev. 22*. Thus the Jewish Laws about their Constitution, were mostly conceived for their ordinary State, [as they might and ought to be] tho their sins procured most of their times, *ex accidenti*, to be Calamitous: leaving what might be necessary in some Exigences of their Wilderness-state, Dispersions, or Oppressions, to the known Rules (of necessity) which needed no positive Determination. If after all you ask, how do I prove that the Reason of primitive Imparity was (the exception of Necessity) and not rather, its having been the Scriptural Rule. I Answer, 1. Because Parity is proven to be the Rule, by the present deduction, and the further concluding Evidences, after adduced. And therefore Imparity can only be the Exception, in other times and Circumstances. But in the mean time, to give you some satisfaction herein. 2. This needs not be proven, Because the *onus probandi* lying on the Affirmer of Imparity; when he adduces the practice of Antiquity. it's enough for Parity (which needs only to stand on the Defensive, since as a Negative of Imparity, it proves it self) to answer and elide the Evidence of a Rule brought from that practice, by saying; that Practice proves not a Rule: not only on the Grounds cleared by *Stil*: in his *hænicum* (that *legibus non exemplis est judicandum*; that in point of Right, Antiquity fails on several other Heads; and in fact, on this particular, the Testimony is not sure; at the least as to the Grounds of the Action, &c.) But mainly in regard, that this primitive Imparity is ascribable to an other Cause (viz. necessity of Circumstances) and therefore is no necessary proof, that it was used only because it was conform to the Scriptural Rule of ordinary Church Government. Especially, considering that there are Counter Testimonies, that from the beginning it was not so. Thus, is it not sufficient to Answer, for the neglecting Circumcision: and the Passover in the Wilderness (against the general Rule) that necessity of their Circumstances did occasion it? Or, when Applications to Rome made by the Circumjacent Churches; are adduced for proving the Pop's Supremacy; is it not a good Exception, that this was only on the occasional account of the Church of Rome's Orthodoxy at the time, and the Civil respect payed to the first Patriarch in the Metropolis of the Empire? And what other Apologie than Necessity, needs be made for David's eating the Shew bread; Our Saviour and His Apostles, taking Ears of other Mens Corn on the Sabbath; or their owning the Imposed high Priests; which the Emperors had paumed upon the Jewish Constitution in their time? As in Civil Matters, there needs no other Proof of the Fatuous, recovering, his being free of his Curators; or the Romans of their Dictators; than that the Rule of their Liberty starts up, how soon the ground of the restraints of that Spring is removed: and the Rule, against Subjects taking Arms, &c. stands, without being infringed by the Proceedings at, or since the Revolution; or others of the like kind before: these being ascribable to a manifest necessity, the great Legitimizing Exception in matter of all Governments. But further, 3. That Necessity was the occasion of the primitive practice of Imparity, is positively proven; both *ex re ipsa*, and by the Testimonies of Writers who give account of the Reasons of the Change from Parity, thereunto. Thus, does not the Thing its self speak, that when many cannot meet, the Law and Execution of it being against them; It's necessary that they make a Delegation

gation to *one*, who, as to his particular Acts, is not so much suspected, or so easily discovered? Who can require another Proof, that the Extraordinary Omissions, or Commissions above-mentioned, were ascribable to this Cause (the Exception of Necessity) without violating the Rule of their Ordinary Duty? Do not the Proofs, both Negative and positive (hereafter hinted) that Parity was the Original Settlement, both by Scripture and Antiquity; particularly, all the Antient Testimonies that at first, Bishop and Presbyter was both *one*, & *communis Presbyterorum concilio Ecclesia gubernabatur* (by adaptation of the Synagogue-Government) make out, that the Discrimination of them was only to serve a necessary turn? Yea further. *Jerom. Epiphani. and Hilaries* Testimonies (above adduced) compleat the Evidence thereof: For after *Jerom* and *Hilary* had purposely (and not by the by) shewn that Parity obtained at first, Bishop and Presbyter being an Identity; comes in, the *totæ orbe decretum est, & immutata est Ratio*, that there should be Bishops by Election, lest each Presbyter, being Supervised by no stated Government, (which the Roman Laws and Histories prove, could not be had) should, by drawing to himself, make a breach in the Church of CHRIST; and thereby, there might be as many Schisms as Priests, &c. And *Epiphani*, Answering *Arius's* Argument; that the Apostles Epistles were directed (only) to Bishops and Deacons; assigns the Reason to be, because these sufficed (at that time) for all necessary Offices; but where necessity required it, Bishops were Ordained, &c.

But, when the times of Reformation came: at first, the Waldenses had no Bishops, in the Ecclesiastical Stile and Sense of middle Antiquity. And, thereafter such Protestant Churches as could obtain their Choice; returned to primitive Parity (thus the French, Scots, several places of the Empire, the Dutch, Switzers, Geneva, &c.) and other Churches who could not get the full length, subsisted in a mixt Superintendencie (as Denmark, Saxony, Brandenburg, Palatinat, Hesse, Bohem, &c.) Yet still without disproving such a necessity obliged to retain Episcopacie: particularlie, the Church of England, where a good Design of gaining in the Papists, mainly, continued it, at first: & thereafter (though hopes hereof ceased) it became so twisted with the Civil Constitution; that without a convulsion of this, that cannot be changed † m. And as to Scotland: however necessity of want of Ministers, and the like, did oblige for a while to use Superintendencie in Ecclesia Constituenda, as suppletory of the fewness of Presbyteries: yet that necessity being over, a compleat Presbitrie was established by Church and State in the termes of the Act 1592; It having been also our Original Government at our first Reformation to Christianity. And any Inroad-splendid viments † n. made on it in the view of K. J. 6. his Gratifying England: as the (his Succession whereto wanted not Prospect of Difficulty) and Torrent of universal corruption; have been. 1. Without any real necessity. 2. raptin, both Without a free † and full Assemblies Judging thereof. And there- at Home and Abroad, is

not a little quelled by occasion of the Greatness of their Benefices, which not only puts themselves beyond Temptation, but likewise afford's accommodation for learned Works; that are Bulwarks against Popery, and generally fences of Christianity.

† † † n. It's needless to discuss, more minutely, what obtained at our Reformation: For it may be a Key to the whole, That 1. We were Reformed by Presbyters (as the Claim of Right relates) whence the Denial of Superiority of Bishops, proves it self: since that can never be instructed. For 2. When the Popish Hierarchie fell, the Bishops, as well as Abbots, Priests, &c. set up for a legal Administration of the Benefices (and perhaps for dilapidating the remainder of them; by the [so called] Tulchan-Bishops, &c.) were, as such, only secular Titulars. Which is no proof of a Spiritual Power. My Lord Stair's Institut. Lib 2. Tit. 8. N. 16. Craig de Feud. &c. 310. any Countenance from packt Assemblies, was no more evidence of the Sense of this Church; then the Italian Council of Trent was, of Christianity. Which is fully Demonstrated by several, both Historians and Polemick Writers.

fore, 3. The late Restitution of Presbytrie (that was confirmed in the Parliament 1650. Which Parliament was never *specially* Rescinded after the Restoration; as Episcopacie in 1662, was not Established by *Ecclesiastical Authority*) is no more than an *emerging* of it *quasi jure postliminii*.

Transition
to the more
positive grounds
of Proof.

There remains 4 Things to be cleared, for applying the Import of what preceeds: Namely, 1. On what Grounds Parity was, and is the Rule. 2. For what *Reasons Necessity* made, and makes Imparity to be a *lawful Exception*. And thence, 3. That Imparity ancient or modern, makes no *Argument* for it *with us*. And 4. The *Corrolaries* which follow from the Premisses, for settling our needless Differences.

Prelimi-
naries, for
making it
credible, that
Parity is the
Rule: from
the nature of
Church-Gov-
ernment, in
the genuin
views of it.

As to the *first*. It will conduce thereunto, to have a Right and distinct *Idea* of the nature of Ecclesiastick Government. The Main of which, is, That Ministers, Elders, and Deacons, serve all the ends of Officers in a Church, namely, *Teaching, Ruling, Charity*: in all which, it Acts by *Direction*; and not by Imposition, like the Civil Powers. Or if we must take Illustrations from these; Ministers are no more than a *Society of Gospel-Heralds* to Proclaim the *Christian Jubile*, and *Act of Indemnity*: and therefore need no more then, as a Faculty of *Lawyers*, to choise their *annual Dean*; or a *Colledge of Physicians*, their *Temporary President*; the *Incorporation* always exercising the chief Powers of Administration.

And if we Contract our Thoughts to *Ordination* and *Jurisdiction*, about which only the Debate lyes (for it's owned that all Ministers have *equal Power* in Preaching, and Administrating the Sacraments) do not many Eyes see more than *one*, into the knowledge, and practice, either of, *Candidate, Minister, or private Christian*; who is to be tryed in an Ecclesiastical Judicature? Is it not more Congruous, that a Person should be *assumed in to a Society* by the *Members* of it, *viz.* Into the Church diffusive upon Election of his People, and the Church Representative by Ordination of his *Copresbyters*) then imposed upon it by a Patron or Bishop *: and

* Tho this
be the most
natural and

congruous conveyance from GOD, of Church-power: yet the wicked Tenet against *Ordinations* of either side (which is so industriously fomented by Papists, or the weak, or those popishly affected) is ridiculous. For, GOD, who is the *Fountain* of that Divine Right, conveys it by the *Channel* of, and from, the *Fathers of Families*, so far as they have it; and the remainder, of, and from the *Presbytry*, who have already Participation in it; not only for themselves, but with *Power* to continue a Ministry. Or, if necessity has lodged it farther from the Head; it's still the same *Right*, and may be handed forward by the Bishop, or Church *Virtual*, at least with *Homologation* of the Church *diffusive* and *Representative*. As the power of a Person *surrrogate* in publick Trust, either by a *Town-Council*, or *Provost*; is, *mediately*, from the *Prince* who erected them with that Faculty; tho derived through several *Conduits*. See *Claud's* Defence of the Reformation.

that

that they who have the *dispensing* of Ordinances, should rather be the Judges of debarring from them by Excommunication, and Re-admitting to them on Repentance; than he who has no *immediate Relation* to, and cannot possibly have personal knowledge of, that Flock? Whether is *impartiality* more to be expected from one, who being still a Man, is subject to impression of Frowns and Fawnings from the Great; Importunity, Relation, Resentment, &c. in *private views*: Or a *Consistory* of Men who can rise no higher; and the byass of one or more is *balanced* by the streight Integrity of a Majority of others? Further, the Power of the Church is not *Temporal*, about the *outward Man*, *qua* Man; which is indeed best *explicat* by Monarchie (as requiring *Secresie*, *expedition*, and *force*) but *Spiritual*. for Instructing and perswading the Souls of Men as *Christians*, Instituting and Destituting such as are to have the Cure of Souls; in an *open*, *gradual*, and *consensual* manner: to which the *knowledge, wisdom, & weight*, of many joyned together, is requisite. It's not *absolute* and *statutory*, which can make a Thing to be Law that was not so before: where *one*, or *a few*, in *Supream Government* cannot do wrong for *defect* of Power, so far as *Consent* has *Communicat* it: but it's *Limited* to a Rule, and is only *Ministerial* in the Execution thereof, where Errours by the very going *beyond that Power*, are *Eternally mortal*; against which Hazard, in a *multitude* of *Counsellors* (Determining either about *themselves*, or their *Flocks*) there is *Safety*. It's not exerceed by *Authoritative Commands* of will, at a *distance* upon Persons, never perhaps seen, or heard by the Injoyner; where *one* may exert his Office towards Millions: But all the Functions of the Ministry imply in their very Nature, *Personal immediate application*; of the *Doctor*, to his Disciples, of the *Steward* to his Family, of the *Guide* to his Followers, of the *Censor* to the Reprehended, of the *Comforter* to the Dejected, of the *Examinator* to the Intransigent, and of the *Judge* to the Party &c. Finally, it's not in the case of GOD's *common Government* of the World by Magistrats, the Forms of which is left to the *Ordinance* of Man, and needs that Frame which is *best* for *Worldly business*: but CHRIST as *Mediator*, being the only King of his Church, it's the *Honour* of His Omniscience and Omnipotence, to be *able* to Govern them by His *Word and Spirit*, without the most promising of *humane Devices*; by simple injoyning, that the *Spirits* of the *Prophets* be *subject* to the *Prophets*: that being all; * which the GOD * 1 Cor. 14. of Order thought Needful for evincing *Confusion* in this case: His assistance of being with them, especially where *two or three are met together*, to the end of the World, being more than Sufficient for supplying
32. 33. Where the Matter treated, is of order.

D

Nor

Nor is this *Aristocracie* in the Church less consistent with *Monarchie* in the State, than with any other temporal Government. For the Ecclesiastick Power has a different *Object* (the Soul) a distinct manner of procedure (without force) the Members of it as *Liege-men*, are subject to the Magistrate (who can protect the Peace, when they go beyond their Line) the * Jewish, or * Primi-

** Especially, under the Judges, their Kings, *Maccabees*, Captivities, or the Roman Empire which allowed them their Ecclesiastick Jurisdiction in their *Synhedrims*, *Synagogues*, &c. as formerly.

And how little, that wise State thought it self concerned to inhibit that liberty; Or the like Freedom to the Christians; at first: Appears

by many Passages in the *Gospels* and *Acts*; ingeniously explained by Mr. *Marvel* in his Hist. Essay on Councils, &c. And after, the Empire turned Tyranical; yet Councils were frequently held, before *Constantine*. For two unubordinate Powers are not absurd when they have different formal *Objects*; as *Pilate* himself feared not the dethroning of *Cæsar* (but the Calumnies of the Jews) by our Saviour's *King ship*, not of this World. In a word, Religion and what relates to it, is to be the same every-where; as regarding One GOD: Whereas Policies must differ, as calculated for the different Interests or Inclinations, of *Man*. Besides, that Church Matters are *Spiritual*, and thereby ly further out of the road of *Mens Will* than Affairs of State: Whence it's not strange that our All-seeing LORD has pre determined them.

* *Vide infra*, The Grounds of solving Objections, in favours of Episcopacy, as to this.

The direct Proof, that the Nature of the Thing is not mistaken; but stands as a-

bove: Which part being largely treated on by others, the most to be expected here, is only *References* thereunto; Especially as to the answering quibbling *Objections*.

The Negative Proof of Parity. As to which, it will

By this time you may think that Parity is *Congruous* and *desireable* enough in it self, as serving well the *Great Ends* of such kind of Government: But still desiderate Proof, that, *de facto*, it is the Rule by *Divine Rights*. Which, therefore, I thus demonstraté.

1. Because, the Institution of *Pastors* being confessedly Divine; and their joyning together in Council, so as the Spirits of the *Prophets* be subject to the *Prophets*, being invincibly proven by Scripture, Reason,

Reason, and Antiquity; against Independents: Paritie among these Pastors, as a *Negative of Imparity*, proves its self. Especially being it's so adapted to the *Nature of the Thing*, and *Design of Ecclesiastick Government*; In manner above represented. Which Negative Argument is further fortified, by the *Scriptures Silence* in these places; where, it Imparitie of ordinary Officers had been designed, it had certainly been exprest: *Nam id agebatur*, as Lawyers speak. Thus, when the Apostles ordained *Elders* in every Church, *Acts* 14. 23. They left them in that Paritie. *Timothie* is charged to *commis* (Only) the things he had heard of Paul to Faithful Men, &c. And *Titus* to settle the Churches, and ordain *Presbyters* in every City, 2 *Tim.* 2. *Titus* 1. 5. Without ordering to leave any Superiority of one above another. There was only *Presbyters* in *Miletus*, *Overseers*, (or *Bishops*,) of the Flock: And a Superiority of any one was not profitable to them, else Paul had not kept it back from them, *Acts* 20. 17. 20. 28. And it appears not that the ordinary Government was left otherways in any Plantations (tho the Times, Places, and Persons, were different) made by the Apostles or Evangelists *.

Law and Testimony, that is not proven to be in it self; otherways it is the *vain commandments of men*. And as in the *Nature of the Thing*, *Liberty needs no Proof*; but the Alleged of Restraint or Constraint of it, must instruct his Claim: So, by *Induction* and *Analogie*, What necessity is there to one sued for a *slave*, to plead any more, than I deny your Title? Can any be allowed to usurp a *Superior Magistracie* over constituted *Judicatures*, without producing his *Vouchers* from the King and Law; the only *Fountains* of allowable *Jurisdiction*? Is it not enough to tell the *Pope*, we're not bound to own you as *Peter's* Successor, because you do not prove; not only, that he, himself, had a *Primacie*; But likewise 1. That *CHRIST's* Law appoints him to have an *infallible Successor* therein. 2. That the *Bishop* of your *Sec*, is the *Person*, &c. But *Ministers* (whose Right over their several Flocks is undoubted; and the *Rights* of the Majority in *Presbyteries*, &c. equally clear) have the same *Negative Defence* against the Superiority of *Bishops*. The Effect of which Ground, is, that, the *Divine Right of Parity* is proven, thereby; unless an *unexceptionable Proof* be adduced, of the Super addition of *Imparity*. But none such can be pretended: Because whatsoever is obviously ascribable to another Sense or Cause; is no necessary Evidence of a *Divine Warrant*. And so it is that the Texts of Scripture used for Superiority among ordinary Pastors; can and do receive an other most accommodat Interpretation: As the Citations from *Antiquity*, are imputable to a plain distinct *Occasion* and *Foundation*; particularly, *Necessity* (which may be seen in the Authors before, and after, cited) whence *Parity* stands its Ground, against such Attacks.

* See further Evidence, in all the Testimonies throughout the Margins.

2. Divines have, further, given *Positive Proof* thereof, from The *Positive* Scripture, Reason, and first Antiquity. Especially, the Apostles, committed the *Ordination* of Ministers to the *Presbytry*, 1 *Tim.* 4. 14. And the *Censures* of the Church, and *Relaxation* therefrom. *Antiquity*, &c. to a *Communitie*, 1 *Corinth.* 5. 2 *Corinth.* 2. and the Church, met together, made *Decrees*, *Acts* 15. Yet the first Pastor being President, came, before the date of the *Rev*: to be called by *Eminencie*, the *Angel* of that Church; but without Superiority of Power above others (for *Revel.* 2. 24. They are spoke to in the *Plural Number*) And subsequent Ecclesiastical Writers, in giving a *Catalogue* of the *Succession* in Churches, did give the name of *Bishop* to the chief Pastor;

Pastor; Not only from the time after his Power was Increased by Ecclesiastick Constitution; but even *Upward*, when his Power was no more than his Brethrens, according to the *Stile* of their own Times: *p. The same way as, tho the *Athenian Ephori* were equal in Power, yet the years of the *Citie* were computed only by the Name of him who was *first insert* in their Records. That this is the true Case, is most manifest from *Acts* 20. 28. *Philip* 1. 1. 1 *Tim*. 3. 2. *Titus* 1. 5, 7. joyned to *Acts* 11. 30. 21, 18. 14, 23. *Titus* 2. 7. 1 *Thes*. 5. 12. *Heb*. 13. 7, 17. with the Testimonies of *Cyprian*, *Hierom*, *Ambrose*, *Ignatius* &c. (which may be seen in *Turretin*, *Blondel*, *Salmasius*, *Stillingsfleet*, *jus Divinum Ministerii*, &c.) By which it's clear like *Noen*, that Bishop and Presbyter was both *one at first*; and this is Analogous to what was *Moral* before the Gospel, in the Deduction above narrated: *Titus* and *Timothy* being Evangelists, and it cannot be proven that they acted otherways, than, as such.

being only to give a Succession of Persons in a *Ministry*, who handed down the Apostolical Writings and Doctrine; and not a Succession of Power in these persons. Thus where-ever the *Papists* find *Missa* in Antiquity (where it signifies only the publick Service, so called from the dismissal of the People after it, with *ite missa est*) they argue for the Sacrifice of their Altar, *Stil*: *Ir*: p. 2. c. 6. §. 3. But *Aug*: *Epist*: 29. clears the present Case, *Secundum honorum vocabula quæ jam Ecclesiæ usus obtrahit, Episcopatus Presbiterio major est*.

†q. Whether they were, or acted, as such: or not: Yet they might not have acted except in that Capacity: And the bare Capacity of the Truth of a Negative, destroys the Necessity of the Affirmative of a Proposition; their acting simply as Bishops. But as to all these extraordinary Officers, ordained *pro presenti Ecclesiæ statu*; it's well observed, That the weakest being left at home to keep the Spoil; the Ablest, like Commanders in an Army, not settled in any Troop, went up and down, from this Company to that, to order them and draw them forth: And where they were, they had indeed the Chief Authority among the Ordinary; but as Commanders of the Army, and not as Officers of the Troop. *Stil*: p. 2. c. 6. It only follows from thence, that such Superiority is neither contrary to Nature, nor even to Gospel Institution, when our LORD seeth cause, immediately to appoint it, or perhaps in Necessity for a time. But it's a Disparatis to argue further from that instance; to a Power in men to do so. *Rul*: *Auf*: to *Stil*.

3. This Negative and Positive Proof, is illustrat by the Impossibility of Imparity, through the Pastors transmitting their Power to a Bishop. For as *delegatus non potest delegare, maxime ubi industria personæ respicitur*: So CHRIST hath given no Warrant to Men to dispose of his Ordinances as they think fit: And Ministers Power is not a Licence only, but a Trust of which they must give Account, and consequently perform the Work themselves, as they will be answerable; All their Functions being Indivisible and Incommunicable. For, the Soul is too precious to be let out at Interest upon any Humane Security that does or may fail. As *Cyp. Epist*. 68. says, *Non cuiquam largiri potest humana indulgentia, ubi intercedit & legem tribuit Divina prescriptio*. Except in the Cases excepted, which leads to the next two Points.

|| The Negative proves it self. Especially seeing: GOD's Commissions are more perfect to accomplish their end, as directed; without taking our own way; the *Mat*.

ter about which they are versant is more weighty, and miscarriage in it more dangerous; and there's a greater Tie to cleave scrupulously to his Injunctions, than for Men's servants to their Masters. Except GOD (and not Men) give that Liberty by an extraordinary Providence of Necessity.

necessity. Else wherefore might not Ministers exclude themselves also from the rest of their Office (Word or Sacraments) or Bishops likewise delegat their own Power, till it landed in a *Pope*.

All that preceds is *consistent* with, and not *derogative* from, the Effects of *Necessity* while it does stand, and after it ceaseth. As to which, that mistakes may be anticipat: There is a *difference* betwixt *necessity of Suffering*, and *necessity of Du'y*, i. e. where, unless a thing be done, a *Duty*, not otherways performable, must be *omitted*. As also, the Effect of *Necessity*, as to *Doctrine* and *Worship*, is distinct from its *Import* as to *Discipline* and *Government*, tho prescribed determinately, by GOD, as well as *Doctrine* and *Worship*: For it not being injoyn'd in the same manner; (since the immediate Object of *Doctrine* and *Worship* is GOD Himself, who has simply ordered them; Whereas *Discipline* and *Government* are provided *per medium mediis* of a hedge to *Doctrine* and *Worship*, to which they have immediate relation) The *Mean* may be subject to some *Restraint*, in *Circumstances*, when otherways it can not attain that *End*. Thus *Durham* (of *Scandal*) puts so many *Restrictions* on *Discipline*, when by the *necessity* of *Providences*, it would not tend to *Edification*, but to *destruction*. And, as to *Government*, *Stillingsfleet's* *Tren*, may prove at least, *so far*, that (tho *Government* be not indifferent in it self, yet) the *Rule* of it may be, and always has been, under *Limitations* of *necessary* *Exigencies*, in which the *simple Canon* it self could not, possibly, attain its Effect. And this is not the doing of *Evil* (but of *Good*, becoming such by the *Law* *Natural* and *Divine*, of *necessity*) that *Good* may come of it. The *Judgement* whereof, tho it belong to the *Church*, as having *Intrinsic Power* to preserve it self pure (which is nervously cleared in a late Book, on the *Regale* and *Pontifical*, &c.) Yet, they, not being infallible, may Err both as to the *Extent* and *Indurance*, of the *Cure* of *Necessity*, above, and after, the *Disease*: As depending on *Humane* *Discernment* of *Facts*, and also, on the *Byas* of *Inclinations*, &c. Whereas the *Rule* of *Parity* hath the advantage of a *Divine* *Certainty*. Tho where there is a true *Necessity*, the *Maxim* may hold, *Necessitas, quicquid cogit, defendit: Et impossibile non est obligatio*.

As to the *second* and *third* Heads, which are Co-incident so far as, The Effects that the same *Disquisition* and *Instances* will clear both. When a of *Necessity* thing is constitute only by the *Secondary Law* of *Nature* or *positive* while it existeth, and after it ceaseth. *Divine* *Precept*: *Providence*, by casting into *Circumstances* of *Necessity*, *ex facto* dispences therewith; When *Acting* is *indispensible*. For, in such a Case, holds the *Exception*, that *Necessity* has no *Law*. Yet, the *Rule* recurs how soon that Let of *Necessity* is over: Since an *Exception* confirms the *Rule* in Cases not excepted; The *Reason* of the *Law* of *Necessity* ceasing, its *Disposition* also is at an end; *Et quod prater rationem juris introductum est non est trabendum ad consequentias*. The same way as the *Laws* of *War* obtain not in a State of *Peace*.

Now, for the more clear *Adaptation* of these *Grounds*, there may be distinguished two kinds of *Necessity*: Namely, a *necessity* of the thing it self: And a *Necessity* for *Extraordinary persons*, arising from certain *Exigencies* of *Things*. *Instances* of the first sort are obvious; in *Adam's* *Sons*, who must have married his *Daughters*, there being then, none else: Our *Saviour* and his *Disciples* took *Ears* of other mens *Corn*, (as *David* the *Shew-bread*) even on the *Sabbath*; When they had not other *Food*: The *Israelites* superceeded both *Circumcision* and the *Paschal-supper*, in their *Wilderness* *State*, as the *Passover* was prorogate in *Hezekiah's* time, &c. Of the second kind, there wants not likewise *Examples*, even in *Ecclasiastical* *Matters*: Thus the *High Priests* imposed by the *Roman* *Emperors* were owned by *CHRIST* and his *Disciples*: As the *Patriarchs* in the *East* appointed by the *Mahumetan* *Governments*, are, among the *Generality* of *Christians*, &c. But to come more close on the present

sent Purpose: The Necessity of *Apostles* and *Evangelists* (particularly *Titus* and *Timothy*) ceased, how soon they had planted Christian Churches by *Disciplining* Nations, and leaving *Pastors* over Congregations, therein; and finishing a *Canon* (the Scripture) of doing this, to serve in *vice of them* for ever; After which, & *mortuis mandatariis, expiravit mandatum*. The same way as, Curators to the *Fatuous*, are at an end, how soon the persons intrusted to them can Act for themselves by *Revalescence* to a right mind; Or, if the Trustees die before. The Jewish State had remained in an *Aristocracie* (which, with them, was indeed a *Theocracie*) If after *Moses's* Decease GOD had not substituted *Josua*. The Romans took a *Dictator*, only for an *Exigence*: And their *Decemviri*, for compiling their *Twelve Tables of Laws*, did endure no longer than that Work was done. And a *Regent* to a Kingdom in it's Princes's Non-age, or a *Lieutenant* made by him, for *Command* and *Government* in the time of *War*; Or a *Commissioner* to a Parliament for *Legislation* in the time of *Peace*: Are no more; either by their own *Deaths*, or after implement of the *Occasion* for which they were sent: After which the Administration remains divided among the *Ordinary Officers* of the Constitution; tho when the *Extraordinary* stood, they exercised these same Functions; But that Faculty as *agregate in them* expired with them, or with the *Occasion* of it.

I need not trouble a Person of your discernment with *Application*. Only, I know you understand better then, when some small *Disparities* occur, not to consider, that all *Similies*, generally, do *claudicate*; And it's enough that they agree with the thing parallel'd in the *Grand Reason* of both.

Some Consequences of what proceeds, about which any who doubts [there being only Curt Hints in the premised Reasoning, to which they relate] may be fully satisfied by reading the Authors cited above.

As to the *fourth*, It follows from what is premised, if candidly understood, without Distortion; that, since *Parity* is the Rule by Scripture, Reason, and *first Antiquity*; Notwithstanding *Precedency*, and *Presidency*, on Age or Election, be of Apostolical Original: Yet *Superiority of Power* is not so; as not proven, yea the *Contrary*, is ascribed; whereby, it was no more than *Necessity* that introduced *Imparity*, so early in the *Primitive Church*, and, justifiably, continued it in others.

Whence it is consequent; 1. That Men of any Capacity or Means, may determine themselves as to Church Government. For what can be more Clear, than that *Parity* must be the Rule? Since it *proves it self*, and is further *approven* as above; and all adduced for *Imparity* is *ascribable* to its being the *Exception*, in the Case of *Necessity*: And therefore no *necessary Proof* of more. Particular 2. It is in vain to adduce for it, *Antiquity*: Because, after it began, it obtained so long as tolerable, out of *Necessity*. Yea 3. The *Catalogues* of Bishops in some Seats even upward to Apostolick times, import nothing: For, the same name was continued to the thing increased (from simple *Precedency* and *Presidency*, to a *Superiority* of Power) nor need Men vex themselves about the precise *Period* of the *Commencement*, or *degrees* of the growth, of the *Change*; since

since that doth not alter the *main Case*; For so much is still visible in the very Face of the Thing, and *Testimonies* thereanent, as founds a plain *determining ground* of it; Namely, *Necessity*. Hence 4. The *Objection*, *Where was Presbytry for enethousand five hundred years?* Is like the *Popish Question*, *Where was your Religion before Luther?* And the same Answer serves both, viz: It was in the *Scriptures*, & *first Antiquity*, not only of the *Catholick*, but diverse *particular Churches*; And severals *stood up for it, thereafter, before the more general Reformation. Tho with this *Difference*, that Corruption did, *inexcusably*, alter the *Doctrine*, or *Worship*: Whereas *Necessity* (in many times and places) might legitimat *restraint* of *Discipline*, or *addition* to the *Government*. Whence 5. How absurd are wrested Citations from the Ancients, adduced by some Fire brands of both Parties, for voiding one anothers *Ministry*? Grossly applying what *Ecclesiastick Canons* appointed (only) in some Places, *Times*, and *Occasions*; to others, quite *distinct*. Than which there could not be a more supine *Ignorance*, or *disingenuous delusion*. 6. The Example of other Churches, since the *Reformation*, is no more than the *Civil Laws* of *Italy*, to *Scotland*, where their *Specialities* do not obtain; Particularly, *Necessity*. Yea 7. Not only is there *no necessity*, or *Ecclesiastick Judgement* of it, for *Imparity* here: But likeways, on the contrary, there are *many necessities* *tr. Juris & facti* (obvious to any who knows our Constitution, and Circumstances) *against it*. So that the present Church Establishment is founded in the *Rule of Parity*, and also *secured* by the *Reason* of the Exception; *Necessity*: Both, happily, concurring to its *Perpetuity*. Especially considering, That 8. We hereby, neither reflect on, nor impugn, the *Constitutions* of other Churches, who may have *Singularities*, from which ours is freed: And to which *Discrimination*, may be ascribed (with some Allowances, for Accommodation) what's material in some broad Assertions of passable Writers, who may seem, either to go too far of *aside*; or being on the one, speak *honourably* of the other. Nor 9. Can the Misapplication of *General Rules*, for *Decency* and *Order*, or against *Divisions* and *Factions*, be opposed to this our Settlement: Because, as *CHRIST's Order* can not be *undecent*, in the Case of *Liberty*, no more than that of *Necessity*: So if the Matter be *||s.* stated of *eld*, *Imparity* had *Divisions* both *Civil* and *Ecclesiastick*, *equal*, at least, to *Parity*: And, if of *late*, no Church can outweigh ours, in true *Christian Unity*, and unshaken *Loyalty*.

* See *Smect's* p. 79. where he proves that *Arius* was condemned only for his *Arianism* and other errors; but not for holding the *Divine right of Parity*; and that *Jerom*, *Augustine*, *Sedulius*, *Primasius*, *Chrisostom*, *Theodoret*, *Ecumenius*, *Theophylact*, were of the same Opinion with *Arius* in this. *tr.* Thus, as the keeping out of *Prelacy* is a *vital nerve* in our *Civil Constitution*, (the Claim of *Right*) so, both our *Protestant Monarchy* settled on that Foot, by an *indefeasible Meeting* of *Estates*; our *Parliaments*, which stand established

free of the Byass of Bishops; our *Lands*, that, thereby, have come to hold of the Crown; Our Right to call our own *Ministers* (which is a *National Jus quæstum*) our Interest in our *Tiends*, by Sale or Valuation; the *Pious Donations* which have been made of some of the Bishops *Revenues*, &c. The keeping out of *Persecution* in the Church, and *Disturbance* in the State (for *Presbyterians*, here, cannot, in Conscience, comply with *Episcopacy*; tho we have seen the other submit to *Presbytry*) And Lastly, That a Churches Government, especially when *reverted* to its *Primitive Parity*, and likeways constitute by *Ecclesiastick Authority* of lawful *General Assemblies*; can not be *defitute* otherways, &c. are *invincible Bars* to it, with us. But you may, perhaps, desire some further Hint of what was plainly owned in this current Parliament; Namely,

ly, that what the Meeting of Estates 1689, claimed as *National Right*, is *unalterable*; Particularly, the Exclusion of Episcopacy. One Ground hereof, was thought to be, that the States thus *extraordinarily met*, had *singular powers*, beyond what has been, or, readily, can be hereafter: For the *Regal Right* was *consolidate*, with the *National Right* of saving it self. In virtue of which *joynt powers*, they (after remaining some time free) revived the ancient ordinary Government, with *that quality*. How such Power came to be stated in a Meeting not called according to the common Rules; I must remit you to what was then wrote: Particularly, the *Dialogue* betwixt *Civitas*, *Demas*, and *Aulicus*, and the *Loyalists Reasons*, &c. which is said to come to this, *viz.* by the Abdication or Forfeiture incurred by the *Regnant Prince*, through the assuming a *new Power*, above Law; *Everſue of his old Power*, according to Law; the *Regal Right* immediatly & *ipſo jure* fell to the next Successor *then extant*, at the date of the signed *Proclamations*. Which natural Claim (existing *de jure* as aforesaid, tho undeclared *de facto*) was fortified, by a *Conquest* (not of the Kingdom, but) of *any Title that remained in the King*; by a *Prince* not under the *personaltye* of a Subject, who has not *jus belli*. And the Successor, by her Husband *jure mariti*, who had *the Regal Right thus fortified*, having called, and *left the Estates to vote themselves free*: It's affirmed to be obvious what *Extraordinary Powers* they had, both *Intrinsic* to themselves, and *Adventitious* from the Sovereignty. The full like whereof can never occur again, without the same *Specialities*, for which I hope there shall never be occasion, but we rest happy and safe, under the Royal Protestant Line of our Natural Sovereigns.

§. Thus Mr. *Marvel* in his *Historical Essay on Councils*, &c. gives Account from Authentick Testimonies, what scandalous *Divisions* and *Intrigues*, out of Envy and Ambition, were among the Bishops; even those who came to the Council of *Nice*: So farr, that wise *Constantine*, ashamed of their mutual Accusations, did *burn them all*, without cognoscing either. What Reciprocal *Brigues* and *Persecutions*, in the subsequent Interchanges of *Arian* and *Orthodox* Bishops. How many different Opinions, and frequently Schisms thereon; have been started on being disappointed of Bishopricks, or larger Sees. How have they *sided*, even in *State-Matters*, through the Histories of *Germany*, *France*, *Italy*, *Polland*, &c. And were *Guelphs* and *Gibellins* as well as others. And (not to speak of *England*) How doth Bishop *Guthry* in his *Memoirs*, defective the young but headed *Prelates* Dissention from, and Overtopping of, the old experienced Bishops; both about the *Liturgy*, and *Preferments of State*; to be a main cause of the Disaster which fell on them in the late *Civil War*? Tho it must be owned that *Presbyters* also have sometimes deborded: But with a great *Difference*. For 1. They, so farr, acted against their *Principles*, not to immix in secular Business; So that, by the unhappy Inducements of *State-Affairs*, in reeling times, (when perhaps neither the Point of *Right* nor *Fact* was so well understood as now) it was *vitium personæ, non rei*; And therefore *manus usus tollatur abusus* of that Constitution; which may be the more *Easse*, because, supposing *both natural affections* to be equal, yet those in *Parity*, are more *ballanced*, than in *Prelacy*. For 2. They have less temptation: Seeing they cannot be promoted *Higher*, or come to *civil Offices* by the secular Favour of Court or Country. And 3. It's not so practicable, to pervert in *Judgement*, or bribe by *Interest*, many, as a *few*. And 4. Being made *Wiser* by Experience, they can have no Prospect, except the *Good of Souls*, by which likewise they save *their own*, as late Experience has evidenced. And 5. If the Topick of the present Age [*Interest*] hold, it's a confirmatory Ensurance hereof: Since, as if the Interest of CHRIST did not move Ministers more than their own, they would yield to *Worldly Advantage*; so there can be no suspicion of their venturing the Little which they lawfully retain, without inevitable necessity from Conscience. But 6. The greatest Ground of Assurance of all, is; That GOD will Direct, Protect, and Bless, His own Ordinance. Neither will the pretence, that Bishops, with us, did take the Concurrence of *Presbyters*; enervat the Scope of what is advanced. Because 1. Whatever is more than a *simple President* (i. e. whom *Presbyters choose*, and such as cannot hinder them to act; But, on the contrary, they can proceed without, and against him) is *everſive* of the Rule, the Divine Right of *Paritie*: where the Exception does not take place, because there is no *Necessity*, *Ecclesiastically judged*, with us; tho it may be otherways *else-where*. 2. That *Palliating Remedy* of a Semblance to conjoyn both Governments, was *Elusory* of the *Right Ends* of true Ecclesiastical Government. For, the Bishop might, as he pleased, have called or appointed only those, who, he knew, would act like himself: Whereby it was, in effect, all one as if he had acted *ſolitarie*, and thereby was lost the *Judgement of the Church*, which can be discovered, truly, no otherways than by a tryal of the *Majority*. 3. Besides this Super-eminent Power, its being thus inconsistent with the *Nature*, and Obſtructive of the *Ends* of *Paritie*; in the speculative view thereof: Experience has too well testified, what Thralldom that Constitution has brought on the *Civil* and *Religious* Interests of the Nation: And that all *Chains* for binding up, proves but *Weights* to, these *Samſon's*: As is manifest

nifest from their History in King *James* the sixth, and *Charles* the first and seconds Reigns. 4. That which puts an end to further inquiry with us, is, that any Superiority above Presbyters; is not only *ultra leges* (Divinas) *supere*; but likewise inconsistent with our Civil fundamental Law of the Revolution-bottom. And therefore there can never be admitted any *compounding*, as to this Matter, in Scotland; we being in a Case quite different from our Neighbours; whose State is singularly *Circumstantiat*.

Thus far have I ventured on your Patience; Which I hope your ordinary Goodness will excuse; from the Innocencie and Aim of the Intention: Whatever be the Success. As to which, tho perhaps we may differ in the Pertinency of some less material Premises; Yet I have so great an Opinion of your Judgement; That, I am hopeful, we'll agree in the Conclusion: It being ordinary that many may centre in the same Vote; and yet never two of them, upon the same Grounds. Especially, considering, in the first place, That the Plea of Necessity hath one excellent Property of an Healing Expedient; Namely, That whatever Men's Opinion be, on which side the Rule stands; Necessity makes the Exception. In the next place, As to the rest, I know your Candor so well, that I fear not your catching at some Maimed Fact, or Dismembered Argument of Rights: Since a Picture can never be judged of aright, either in a False Light, or by viewing the Pieces of it apart, or through tearing them asunder. It being the ordinary mean peculiar Art of some Pamphleteers, to set up a Puppet of their own Imagination, or perhaps Forgery; And then take the Pleasure, or vaunt in the Triumph, of throwing it down; While, in the mean time, the True Argument which they pretend to impugn, stands untouched. In all Events, there shall be one thing certain; Namely, That no lesser differences shall ever obstruct my being, in other Respects, as much as any thing,

SIR,

Yours, &c.



SIR,

Yours, &c.